

**Amendment to the Claims:**

The listing of claims will replace all prior versions, and listings of claims in the application:

**Listing of Claims:**

1-35. Cancelled.

36. (New) A device for guiding light including at least one partially translucent surface material comprising:

a surface upper side, which has optically active surface structures for guiding and/or scattering light, as well as an optically switchable layer provided at least in partial areas of the surface structures, or

at least two directly or indirectly opposing surface upper sides, of which one exhibits optically active surface structures for guiding and/or scattering light, and another provides the optically switchable layer covering at least parts of the surface upper side.

37. (New) The device according to claim 36, wherein the optically active surface structures at least in partial areas provide microstructure surfaces that are covered at least in part by the optically switchable layer, which uses near-field effects triggered by the microstructure surfaces and uses diffraction and interference effects.

38. (New) The device according to claim 36, wherein the optically active surface structures are microstructures.

39. (New) The device for guiding light including at least one partially translucent surface material, comprising:

a surface upper side, which has optically active surface structures for guiding and/or scattering light, which at least in partial areas provide microstructure surfaces that are covered at least in part by an optically active layer, and use near-field effects triggered by the microstructure surfaces and based on diffraction and interference effects;, or

a surface upper side, which has a microstructure surface for guiding and/or scattering light, which is covered at least in part by an optically active layer, and uses near-field effects triggered by the microstructure surfaces.

40. (New) The device according to claim 37, wherein the microstructure surfaces exhibit average structural periods of less than 100  $\mu\text{m}$  in size, and an aspect ratio, of structural height to structural period, of greater than 0.2.

41. (New) The device according to claim 39, wherein the optically active layer is applied exclusively to areas on the microstructure surface where excessively higher or lower near field intensities arise on the microstructure surface including intensity maximums and minimums generated on the microstructure surface owing to diffraction and interference effects, at specific angles of incidence for light relative to the surface upper side.

42. (New) The device according to claim 39, wherein the optically active layer has absorption, transmission and/or reflection behavior which is independent of time.

43. (New) The device according to claim 39, wherein the optically active layer is an optically switchable layer.

44. (New) The device according to claim 36, wherein the optically switchable layer is selectively applied to specific areas of the surface structures.

45. (New) The device according to claim 36 or 43 wherein an optically switchable layer which is thinner than 10  $\mu\text{m}$ .

46. (New) The device according to claim 36, wherein the optically switchable layer is a gasochromic, electrochromic, photochromic, photoelectrochromic or thermochromic layer material.

47. (New) The device according to claim 46, wherein a switching function of the optically switchable layer can be actuated.

48. (New) The device according to claim 47, wherein the optically switchable layer is a gasochromic, electrochromic or photoelectrochromic layer material.

49. (New) The device according to claim 46, wherein the gasochromic layer material is selected from the following material classes:

transitional metal oxides, comprising at least one of tungsten oxide, tungstates, nioboxide, molybdenum oxide, molybdates, nickel oxide, titanium oxide, vanadium oxide, iridium oxide, manganese oxide, cobalt oxide or mixtures thereof;

metal hydrides, comprising at least one  $\text{La}_{1-z}\text{Mg}_z\text{H}_x$ ,  $\text{Y}_{1-z}\text{Mg}_z\text{H}_x$ ,  $\text{Gd}_{1-z}\text{Mg}_z\text{H}_x$ ,  $\text{YH}_b$ ,  $\text{LaH}_b$ ,  $\text{SmH}_b$ ,  $\text{NiMg}_2\text{H}_x$ ,  $\text{CoMg}_2\text{H}_x$  or mixtures thereof, with z values in the 0 to 1 range, x values in the 0 to 5 range, and b values from 0 to 3; or

switchable polymers, comprising at least one of polyviologens, polythiophenes or polyanilines, or Prussian Blue.

50. (New) The device according to claim 49, wherein the layer material comprises:

transitional metal oxides having a layer thickness ranging from 100 nm to 1000 nm; or

metal hydrides with a layer thickness ranging from 10 nm to 500 nm.

51. (New) The device according to claim 46, wherein the gasochromic layer material is actively connected with catalytic material.

52. (New) The device according to claim 51, wherein the catalytic material is a layer, and contains at least one of platinum, palladium, rhodium, osmium, rhenium, nickel, ruthenium or mixtures thereof.

53. (New) The device according to claim 52, wherein the catalytic layer has a layer thickness of less than 10 nm.

54. (New) The device according to claim 36, wherein the optically switchable layer is a phototropic or a thermotropic layer material.

55. (New) The device according to claim 54, wherein the optically switchable layer is applied at least to partial areas of the surface upper side, and is spaced apart from the surface upper side provided with optically active surface structures for guiding and/or scattering light.

56. (New) The device according to claim 55, wherein the optically switchable layer is located between two surface elements transparent to sunlight.

57. (New) The device according to claim 54, wherein the thermotropic layer material is diffusely scattering when cold, and substantially transparent when warm.

58. (New) The device according to claim 57, wherein the thermotropic layer material contains paraffins or latent storage material.

59. (New) The device according to claim 46, wherein the electrochromic layer material is selected from the material classes as follows:

transitional metal oxides, comprising at least one of tungsten oxide, tungstates, nioboxide, molybdenum oxide, molybdates, nickel oxide, titanium oxide, vanadium oxide, iridium oxide, manganese oxide, cobalt oxide or mixtures thereof;

metal hydrides, e.g.,  $\text{La}_{1-z}\text{Mg}_z\text{H}_x$ ,  $\text{Y}_{1-z}\text{Mg}_z\text{H}_x$ ,  $\text{Gd}_{1-z}\text{Mg}_z\text{H}_x$ ,  $\text{YH}_b$ ,  $\text{LaH}_b$ ,  $\text{SmH}_b$ ,  $\text{NiMg}_2\text{H}_x$ ,  $\text{CoMg}_2\text{H}_x$  or mixtures thereof, with z values in the 0 to 1 range, x values in the 0 to 5 range, and b values from 0 to 3; or

switchable polymers, comprising at least one of polyviologens,  
polythiophenes  
or polyanilines, or Prussian Blue.

60. (New) The device according to claim 36, wherein the optically active surface structures have macroscopic geometries rising vertically to the surface upper side of the surface material or are cuts or recesses in the surface material, and exhibit interfaces at which light is refracted or diffracted.

61. (New) The device according to claim 36, wherein the at least one partially translucent surface material comprises at least one carrier substrate transparent to sunlight in a form of a pane.

62. (New) The device according to claim 36, wherein the at least one partially translucent surface material is a window element.

63. (New) The device according to claim 36, wherein the at least one partially translucent surface material is a single carrier substrate transparent to sunlight, with the optically active surface structures and an optically switchable layer or microstructure surfaces optically active in a near field range with an optically active layer on a shared surface upper side or on a different surface upper sides.

64. (New) The device according to claim 46, comprising two carrier substrates transparent to sunlight with the surface upper sides being spaced apart opposite each other and the optically active surface structures being on one of the two opposing surface upper sides and the optically switchable layer or microstructure surfaces optically active in a near field on the opposing surface upper sides are provided with an optically active layer.

65. (New) The device according to claim 64, wherein the two carrier substrates transparent to sunlight are windowpanes of a dual glazing, whose opposing surface upper sides incorporate an intermediate space of the panes.

66. (New) The device according to claim 36, wherein the at least one partially translucent surface material is a film.

67. (New) The device according to claim 66, wherein the film is attached to a carrier substrate transparent to sunlight.

68. (New) The device according to claim 36, wherein the optically active surface structures are geometrically uniform, are based on a prescribed periodic sequence, are formed and arranged on the surface upper side, and that the optically switchable layer is applied to an entire surface of all surface structures, or only selectively to specific partial areas of the surface structures.

69. (New) The device according to claim 68, comprising an optically non-switchable layer with absorption, transmission and/or reflection properties not dependent on time which is selectively applied in other areas of the surface structures in combination with the optically switchable layer which is selectively applied in specific partial areas of the surface structures.

70. (New) The device according to claim 36, wherein the surface structures have corners or edges that are coated with an optically switchable or optically active layer with absorption, transmission and/or reflection properties not dependent on time.